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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JULIA HUBBARD, et al.,		Case No. 2:22-cv-7957-FLA-MAA
	Plaintiffs,	
	vs.	
TRAMMELL S. CROW, JR., et al.,		PLAINTIFFS' APPLICATION FOR ALTERNATIVE SERVICE AND EXTENSION OF TIME TO SERVE PROCESS ON DEFENDANT KURT KNEWITZ
	Defendants.	[[Proposed] Order submitted concurrently herewith]

1 Plaintiffs Julia Hubbard ("Hubbard") and Kayla Goedinghaus
2 ("Goedinghaus") (or "Plaintiffs") respectfully request for alternative service
3 and an extension of time under Civil Local Rules 5 and 6-1 and Federal Rules
4 ("Rules") of Civil Procedure 5 and 6(b), to serve the Summons and Complaint
5 in this action on Defendant Kurt Knewitz ("Knewitz"). This is Plaintiffs'
6 second motion for an extension, and first seeking alternative service.

7 **I. BACKGROUND**

8 On November 1, 2022, Hubbard and Goedinghaus filed their
9 Complaint (Dkt. No. 1) against Defendants Trammell S. Crow, Jr.,
10 Dr. Benjamin Todd Eller, Richard Hubbard, Dr. Melissa Miller, Dr. Joseph
11 Bolin, Dr. Scott Woods, Dr. Mrugeshkumar Shah, Michael Cain, Coe Juracek,
12 Philip Ecob, H.J. Cole, Texas Ranger Cody Mitchell, Kurt Knewitz, Paul
13 Pendergrass, Ralph Rogers, Robert Pruitt, Scott Brunson, Case Grover,
14 Richard Butler, Mark Molina, Michael Hynes, Jr., Shawn Mayer, Jade Mayer,
15 RCI Hospitality Holdings, Inc., Integrity Based Marketing, LLC, Storm
16 Fitness Nutrition, LLC, Ultra Combat Nutrition, LLC, Ecoloft Homes LLC,
17 and Elevated Wellness Partners LLC (the "Defendants"), for the violation of
18 Human Trafficking Laws 18 U.S.C §§ 1589, 1591(a) and the violation of the
19 Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1962(c). For
20 over three months, Hubbard and Goedinghaus have undertaken diligent
21 efforts to serve all Defendants via personal and electronic service.

22 Hubbard and Goedinghaus engaged the services of two firms—ABC
23 Legal and Civil Process Direct, LLC—specializing in service of civil process.
24 Between November 11, 2022, and March 26, 2023, Hubbard and Goedinghaus
25 successfully served at least 17 Defendants in this action, and Hubbard and
26 Goedinghaus persist in their efforts to serve all Defendants. However, both
27 Hubbard, Goedinghaus, and the service processors have experienced

1 continuous difficulties in trying to serve Knewitz via personal service of
2 process.

3 On November 11, 2022, Hubbard and Goedinghaus, through their
4 attorneys, sent an email with the Summons and Complaint to Knewitz at the
5 email address kurt@buyswd.com, who responded to the email saying to
6 “send it to [him] certified or whatever,” and that he would be getting an
7 attorney (email with subsequent discussions attached hereto as Exhibit A).
8 As such, Kurt is on notice of the Summons and Complaint yet has refused to
9 accept service and answer the Complaint. Again, on December 27, 2022, and
10 March 20, 2023, personal service was attempted by a process server, but
11 Knewitz’s address at 6009 W. Parker Rd., #149-189, Plano, Texas, 75093
12 turned out to be a Pack & Mail Shoppe, which Knewitz is not affiliated with.
13 Hubbard and Goedinghaus have not yet found any other address to
14 personally serve Knewitz.

15 II. ARGUMENT

16 The Court should grant Hubbard and Goedinghaus’ request for
17 alternative service and extend the time to serve Knewitz because they have
18 shown good cause through their repeated attempts to serve Knewitz.
19 Alternative service is permissible where such service is “reasonably
20 calculated to give actual notice to the party to be served,” and email service
21 in particular is permissible where a Plaintiff gives the Court “reason to
22 believe that a defendant’s email address is valid.” *Sendzul v. Hoag*, No. CV
23 21-06894-RGK (KS), 2022 WL 2124903, at *2 (C.D. Cal. Apr. 14, 2022) (quoting
24 *Creative Intellects v. Haygood*, No. 221CV02670RGKAFM, 2021 WL 3568237, at
25 *3 (C.D. Cal. July 23, 2021) (allowing service by email where plaintiffs’
26 counsel had “sent numerous emails” to defendant without receiving bounce
27 back and defendant “admitted” on phone call receipt of emails)).

1 Federal Rule of Civil Procedure 6(b) provides that this Court, in its
2 discretion, may enlarge the time for good cause shown. Fed. R. Civ. P. 6(b);
3 *see also* Fed. R. Civ. P. 4(m) (providing that if the plaintiff does show “good
4 cause,” then “the court must extend the time for service for an appropriate
5 period”). Diligent attempts to serve defendants establishes good cause.

6 Here, Hubbard and Goedinghaus engaged two different methods of
7 service in an attempt to serve Knewitz. Service has been attempted at
8 Knewitz’s last known address multiple times and an address search has also
9 been unsuccessfully conducted to find Knewitz’s most recent address.
10 Hubbard and Goedinghaus have also emailed Knewitz at an email address
11 from which he responded, showing that there can be no doubt that he is on
12 notice of the claims against him. And specifically, Knewitz responded
13 repeatedly to Plaintiffs’ counsel in November 2022 from his
14 kurt@buyswd.com email address, acknowledging that the email is a valid
15 way to reach Knewitz. (*See* Ex. A.)

16 Plaintiffs respectfully request that the Court approve the alternative
17 service and extension of time to serve process on Defendant Kurt Knewitz.

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1 Dated: April 10, 2023

2
3 By: 

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